

Matter of Maguire
Del. Supr., No. 562, 1992 (2/9/93),
Board Case No. 40, 1991

Disciplinary Rules: DLRPC 1.5(a), 1.7(b), 1.8(a)

Nature of Case:

The respondent was retained to represent a client in a criminal matter by the client's guardian. In light of the services performed, the fee charged by the respondent was unreasonable. There was also an impermissible conflict between the interests of the criminal defendant and the guardian. In addition, the respondent entered into an impermissible business arrangement with the guardian while representing the criminal defendant.

Action Taken by the Court:

The respondent tendered a conditional admission for the approval of the Board on Professional Responsibility pursuant to Board Rule 18, in which the respondent admitted that he had charged an unreasonable fee and that there had been improper conflicts of interests in the representation. In exchange for such admissions, the respondent accepted the sanction of a public probation period of one year, with various conditions. The Board approved the tendered conditional admission and the one-year probation.

After review of the Board's report, the Delaware Supreme Court entered an order approving the disposition, finalizing the imposition of the one-year probation, with conditions.